

### **REMARKS**

Applicants respectfully thank the Examiner for a finding of allowability regarding claims 1-15 and 20.

Upon Amendment, Claims 1-15, 17, and 20-21 are pending. Claims 16, 18 and 19 are cancelled without prejudice. Claim 21 is new.

Claims 17 and 20 have been amended to more clearly define the claimed subject matter. In particular, Claim 17 has been amended to recite a pharmaceutical composition and Claim 20 has been amended to recite a method comprising administering at least one compound to a person or animal, in need thereof. No new matter has been added by the amendments. Support for the amendments is found throughout the application and claims as originally filed.

Claim 21 is new. Claim 21 is directed to a method of controlling bacterial infections in a person or an animal comprising administering to a person or animal, in need thereof, an antibacterially effective amount of at least one composition of the invention. Support for this claim is found throughout the application and claims as originally filed, particularly original Claims 18-20.

Reconsideration and withdrawal of the objections to and the rejections of this application in view of the terminal disclaimer and remarks herewith, is respectfully requested, as the application is believed to be in condition for allowance.

Applicants respectfully reserve the right to pursue any non-elected, canceled or otherwise unclaimed subject matter in one or more continuation, continuation-in-part, or divisional applications.

### **Claim Objections**

Claims 16, 17 and 19 stand objected to. In particular, Claims 16 and 19 are objected to as substantial duplicates of claims 1 and 17 respectively. Similarly, Claim 17 stands objected to as relating to a "medicinal product" which may be interpreted as less precise than a "pharmaceutical composition".

Applicants have amended claim 17 to recite a pharmaceutical composition. No new matter has been added by the amendments. Support for the amendments is found throughout the application and claims as originally filed.

Furthermore, without conceding the validity of the Examiner's objections to Claims 16 and 19, and solely for the purpose of advancing prosecution, Claims 16 and 19 have been cancelled without prejudice.

Applicants respectfully request withdrawal of the objections to the claims.

**Rejections under 35 U.S.C. §§ 112 and 101**

Claim 18 stands rejected as indefinite for not reciting any steps for the use claimed. Similarly Claim 18 stands rejected as an improper definition of a process for not reciting any steps involved in the process.

Without conceding the validity of the Examiner's objections Claim 18 has been cancelled without prejudice.

Applicants respectfully request that the rejection of the claims under 35 U.S.C. §§ 112 and 101 be withdrawn.

**CONCLUSION**

In view of the amendments and remarks made herein, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are respectfully requested. Please charge any required fee or credit any overpayment to Deposit Account No. 04-1105.

Respectfully submitted,



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